

REMARKS

Claims 1-7 and 17-22 are pending in this application. Claim 1 has been amended to incorporate the limitations of former claims 13 and 15. Claims 8, 11 and 13-15 have been canceled and claims 17 and 18 amended to reflect the amendments to claim 1. Claim 23 has been rewritten to depend from claim 1 and claims 24-27 have been canceled.

A Declaration under 37 CFR §1.132 accompanies this response.

35 U.S.C. § 102 Rejections

Claims 1, 2, 5, 7, 8, 11, 14, 18, 19, 21-24 and 26 are rejected under 35 U.S.C. § 102 as being unpatentable over Rhee et al., WO 03/005429 (“Rhee”).

Applicants have amended claim 1 to incorporate the limitations of claims 13 and 15, thereby obviating the rejection.

35 U.S.C. 103 Rejections

Claims 3,4, 13, 15-17, 20, 25 and 27 are rejected under 35 U.S.C. § 103 as obvious over Rhee.

Claim 1 has been amended to incorporate the limitations of former claims 13 and 15. As amended, claim 1 recites, in part, contacting a substrate a primary CDO precursor and a secondary CDO precursor. The primary CDO precursor is an alkylsiloxane and the secondary CDO precursor is one of a recited list of $C\equiv C$ (carbon-carbon triple bond)-containing siloxanes and silanes.

Rhee describes two types of CDO process gas chemistries: (1) “an organosilicon or organosilicate compound having at least one vinyl or ethynyl group” or (2) “a mixture of a saturated organosilicon or organosilicate compound and an unsaturated hydrocarbon” (Abstract). The differences between the disclosure of Rhee and Applicants claim 1 is shown in the table below:

Claim 1	Rhee Examples (2 and 4)	Rhee Examples (1,3,5,6,7,8,9)
Alkylsiloxane (Primary)	Saturated organosilicon/silicate compound	Unsaturated organosilicon or organosilicate compound (alone)
C-C triple bond containing organosilicon (Secondary)	Unsaturated Hydrocarbon	

Thus, nowhere does Rhee teach or suggest the combination of a organosilicon primary CDO precursor and a carbon-carbon triple bond containing secondary precursor.

In rejecting the subject matter of claim 1 (former claims 13 and 15), the Examiner states that it is not patentable “unless new and unexpected results are obtained.” Applicants are submitting herewith a declaration of Dr. Qingguo Wu and data showing that the use of a primary organosilicon precursor and a secondary carbon-carbon triple bond-containing organosilicon precursor provides unexpectedly improved results over either of the types of processes gases described in Rhee, specifically the (1) saturated organosilicon or organosilicate compound + unsaturated hydrocarbon and (2) an unsaturated organosilicon or organosilicate compound alone.

Applicants have shown that the use of the recited precursors is critical and provides superior and unexpected results. For at least this reason, Applicants respectfully submit the claims are patentable over the cited art.

Conclusion

Applicants believe that all pending claims are allowable and respectfully request a Notice of Allowance for this application from the Examiner. Should the Examiner believe that a telephone conference would expedite the prosecution of this application, the undersigned can be reached at the telephone number set out below.

Respectfully submitted,
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